

REMARKS

Status of the claims

Claims 4-7, 9-10, 12, 14, 16-28, 30-37 and 44-45 are pending in the application. Claims 4-7, 10, 16, 27 and 37 are amended herein for purposes of clarity. Claims 16-26 and 31-36 are withdrawn. Claims 1-3, 8, 11, 13, 15, 29, and 38-43 are cancelled. No new matter has been added with the amendments. As such, entry and consideration thereof are respectfully requested.

Formal matters (*Objections to the claims*)

Claims 11, 13 and 15 have been objected to as being substantial duplicative claims to claims 10, 12 and 14. Claims 11, 13 and 15 have been cancelled, thus obviating the objection.

Claims 27, 28 and 30 have been objected to as being improperly dependent with the assertion that claim 27 depends from claim 4, wherein claim 4 requires that the IL-15 mutein comprises the full length IL-15, which contains one amino acid substitution. Claim 27 has been amended to be in independent form. Withdrawal of the objection is therefore respectfully requested.

Claim 10 has been objected to for containing a typographical error. Claim 10 has been amended to correct the error; withdrawal of the objection is therefore respectfully requested.

Claim 37 has been objected to for being drawn to a “drug”. Claim 37 has been amended as suggested by the Examiner, i.e. “drug” has been replaced with “pharmaceutical composition”. Withdrawal of the objection is therefore respectfully requested.

Rejections under 35 U.S.C. §112, 2nd paragraph

Claims 4-7 have been rejected under 35 U.S.C. §112, 2nd paragraph as being indefinite. More specifically claim 4 has been rejected for recitation of “derivable from”. The claims have been amended to more clearly recite “directly derived from”. Withdrawal of the rejection is respectfully requested.

Claim 6 has been rejected as being indefinite in the recitation of "at least one" with the notation that claims 4 and 5 recite "one substitution". Claim 6 has been amended to delete "at least". Claim 6 has been further rejected for the recitation of "at least one hydrophobic side chain" and "non-charged polar side chain" The claim has been amended to delete the language in question. Claim 7 has been similarly rejected and amended. Withdrawal of the rejections is therefore respectfully requested.

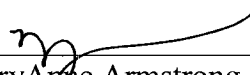
In view of the above amendments and Remarks, Applicants believe the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact MaryAnne Armstrong, PhD, Reg. No. 40,069 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: March 30, 2010

Respectfully submitted,

By 
MaryAnne Armstrong, PhD
Registration No.: 40,069
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant